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Kastoryano, Riva

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Riva Kastoryano

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4. International Politics and Culture

TRANSNATIONAL PARTICIPATION AND CITIZENSHIP IMMIGRANTS IN THE EUROPEAN UNION

Riva Kastoryano

CERI, Paris

Introduction

Debates and analyses on transnationalism like debates and analyses on the European Union and its political construction lead to the same question: the relevance of the nation-state in a globalized world, its sovereignty and its identity. Indeed, nation-states defined as a political structure "invented" in 18th-century Europe, combining a territorial, cultural, linguistic, even to some extent, a religious unity[1] are challenged by new "global" structures, such as supranational institutions and transnational networks, leading to a political participation beyond the nation-state and therefore questioning the couple citizenship/nationality considered as the main access as well as the sign of membership and allegiance to a political community.

Many social scientists have developed concepts such as "postnational" to underline the limits and the difficulties of nation-states to face the changing political context. In developing the concept of postnational with regard to European citizenship, the French philosopher Jean-Marc Ferry suggests a membership beyond the nation-state.[2] Another model is given by Habermas who develops the concept of "constitutional patriotism". This model implies the separation between nationality and citizenship linked in the context of the nation-state, therefore a separation between feelings of membership carried by national citizenship and its juridical

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1 Ch. Tilly, *Nation-State Formation. Reflections on the History of European State Making*, Princeton University Press, 1974.

2 J.-M. Ferry, Pertinence du postnational, *Esprit*, novembre 1991, no:11, pp. 80-94.

practice extended beyond the nation-state[3]. A citizenship beyond territorial boundaries led Rainer Bauböck to elaborate the concept of "transnational citizenship" that he sees as "the liberal democratic response to the question of how citizenship in territorially bounded polities can remain equal and inclusive in globalizing societies".[4] On another level, considering this time the immigrant population in Europe, Yasemin Soysal uses the concept of "postnational membership" to define a citizenship which would be related to international norms defined mainly in terms of Human Rights applied to individuals according to their residence, and therefore different from a juridical citizenship limited to the nation-state.[5]

All these approaches express a normative view of citizenship, nourish discourses and stimulate research for a new model of citizenship. But the European project does not necessarily follow these views. According to art. 8 of the treaty of Maastricht, the "citizenship of the Union" requires national citizenship of one of the member states. Indeed "citizen of the Union is anybody who has the nationality of one of the member states". Thus the treaty maintains *a* link between citizenship and nationality as is the case in nation-states. Obviously the European Union as a political construction cannot require the same conditions as nation-states: a confluence between territorial, cultural, linguistic and political unity. Nevertheless, the EU seems to be, at least as far as the citizenship of the Union is concerned, a projection of the nation-state model where citizenship and nationality is maintained as linked. At the same time the application (direct participation: vote) of citizenship brings an element of extraterritoriality. But again, according to the same art. 8, a citizen of the Union has the right of free circulation and the liberty to reside and work on the territory of a member-state and even the right to vote in local elections on the territory of a member-state of which he or she is not a citizen, but just a resident. This article introduces *de facto* a *new conception of citizenship*, which is *extra-territorial*. Its application engenders multiple references as well as multiple allegiances of citizens, dissociating citizenship and nationality within a nation-state.

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3 J. Habermas, Citoyenneté européenne, in I. Lenoble & N. Dewandre, eds, *L'Europe au Soir des siècle*, Sevil, 1992.

4 R. Bauböck, *Transnational Citizenship*, Edward Elgar, 1994.

5 Y. N. Soysal, *Limits of Citizenship. Migrants and Postanational Membership in Europe*, The University of Chicago Press, 1994, p. 143.

This multiplicity appears clearly in modes of political participation in Europe. In fact citizens of the Union as well as residents participate in the European Union's politics through transnational networks combining identity - be it national, religious or both - and interest. These transnational networks - national, religious, financial, commercial and so on - in competition with each other cover the European space. Such a participation contributes to the formation of an *European public space* which becomes *transnational.* A transnational public space would be therefore a space of multiple interactions between nation-states and supranational institutions and above a space where transnational networks would build bridges between national societies and the European space.

Obviously transnational networks represent political participation beyond the nation-state with different levels and areas of citizenship rights and identifications. I argue that the emergence of transnational communities does not lead to the erosion of the nation-state, but to a redefinition of its political structure and of the balance between nation and state, where the state is considered as the driving force behind the construction of global structures and the nation as a resource for a democratic political action.[6] In fact transnational networks appear more and more as a crucial structure in order to negotiate the claimed and represented identity and interest, ultimately with the state, while keeping the "idea of a nation" for mobilization. On the same logic, supranational institutions by encouraging such structures promote a transnational public space, paradoxically reinforcing the role of the state in the political construction of Europe, and of the nation as a unit of identification.

I will focus my analysis on "immigrants"[7] settled in different European countries and involved in building transnational networks at the European level, on their involvement in multiple interactions between such organizations, nation-states and supranational institutions. Based on

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6 D. Lapeyronnie, Nation, démocratie et identités en Europe, in R. Kastoryano (ed.), *Quelle identité pour l'Europe? Le multiculturalisme à l'épreuve*, Presses de Sciences Po, 1998.

7 The use of the word immigrant needs an explanatory note. What is meant by immigrant in this context is a population who came and settled in different European countries in the 1960s mainly for economic reasons, even in many cases they come from former colonies. Juridicaly, the term refers to a temporary status, which is not valid today. The use of the terms reflects rather a social reality showing the difficulty to admit these populations being a part of the social, cultural and political system.

the results of a research that I conducted on *Transnational Solidarities in Europe*[8] I attempt to show empirically how such structures raise the question of the link between participation, citizenship, nationality and identity - for legal citizens of the Union as well as for residents, and how nation-states remain the political framework for a transnational mobilization.

States and Immigrants

All European countries have become immigration countries even though ongoing official debates in Germany still reject this view: Some, for at least a century such as France, some more recently after the 1960s such as Germany and Great Britain, some more recently like Spain and Italy. In most cases historical relations between home and host countries have designed the settlement of different populations from the South and East Mediterranean, from India and Pakistan or from Africa in different member states of the EU.

The relations between these states and their immigrants are also established by their national history, each of them expecting the newcomers to respect the founding principles of the nation. The specificity of each nation-state with regard to immigrants has given rise to sociological and political analysis in terms of "models", opposing in a dichotomous way France and Germany on their understanding of citizenship and nationhood France being represented as the ideal example of a nation-state, seeing itself as universalistic and egalitarian. The so called "French model" implies the assimilation of individuals who have become citizens by choice. The French model is opposed to the so-called "German model" - the French elective and political conception of the nation vs. primarily ethnic and cultural Germanic preference for common ancestors.[9] The British view on the other hand in France called the "Anglo-Saxon" model (the USA belonging to this model) is considered as a model that recognizes ethnic or religious communities in the public sphere. Such an understanding of the political arena is also opposed to the republican individualism that characterizes the French Republic at least in its representation.

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[8] This research was financed by the French Ministry of Research and conducted within the Centre d'Etudes et de Recherches Internationales (CERI) in Paris (1992-1994). The results have been published in *Revue Européenne des Migrations Internationales*, (special issue on "Mobilisation ethniques: Du national au transnational", vol. 10, no. 1, 1994. I thank more specifically C. Neveu and M. Diop for having participated actively to the field work as well as to final analysis.

[9] R. Brubaker, *Citizenship and Nationhood in France and Germany*, Harvard University Press, 1992.

Realities however are quite different from these "models". One can detect a real convergence between the three countries. But the so-called "models" constitute without doubt a rhetoric to vindicate the past and justify to some extend political choices of the state. In this perspective "from immigrants to citizens" would be the motto in France[10], and "from guests to foreigners" or even to "foreign cocitizens" in Germany. The distinction underlines the understanding of integration in each national context: a political integration into the nation through citizenship in France, a social integration into the civil society while excluded from the understanding of the nation in Germany. In Great Britain, the word "Blacks" is used by militant activists to underline the racial character of otherness. "Blackness" as a stigma of Otherness has become a reaction to the British discourse on immigration that has retained the use of "race" terminology, i.e. has not consistently or even officially replaced overt racial references with "ethnic" ditto, as is the case in most other Western countries.[11]

Not only national particularities emerge in official rhetoric's, but they are also used by activists as the expression of a collective identity for immigrants on which they base their political claims. Indeed claims are expressed in reaction to the national identity as well as to public policies on behalf of immigration or integration, leading immigrants to define a core identity around which a community can be constructed in order to negotiate its recognition by the state.[12] In France for example, the republican rhetoric on citizenship and a defensive discourse on secularism ("laïcité") have pushed immigrants to claim the recognition of a religious community with state legitimacy. In Germany, on the other hand, the ethnic understanding of the nation clusters foreigners into an ethnic community, or even an ethnic minority based on a common "foreign" nationality. This process is quite obvious with Turks who claim the recognition of dual citizenship, where citizenship is expressed in terms of rights and nationality in terms of an ethnic identity.[13]

But on the European level discourses try to demarcate national particularities in reaction to other national and political contexts. Leaders of voluntary associations in France reject in their

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10 Inspired from the title of J. Costa-Lascoux, *De l'immigré au citoyen*, la Documentation Francaise, 1992.

11 U. Hedetoft, in our *Correspondence*.

12 cf. R. Kastoryano, *La France, l'Allemagne et leurs immigrés. Négocier l'identité*, A. Colin, 1997.

13 R. Kastoryano, *op.cit.* 1997.

discourse any policy with regard to "ethnicity", a concept which, in their view, is relevant for the British context but not the French. They express in this way their attachment to French rhetoric according to which policies towards immigrants are intended to prevent social exclusion from the larger society and not to recognize a cultural specificity. Black identity as developed in Great Britain, and ethnic identity expressed in terms of nationality in Germany have become a way for activists to fight against racism and discrimination and for equality of rights in Europe. Therefore collective actions in these countries stem from the fight against any kind of exclusion, whether social, cultural or political.

But at the same time, "immigrants", "foreigners" or "Blacks" all converge in their political strategies and participation in different countries. Whether states define themselves as republican and assimilationist like France, or exclusivist in terms of citizenship like Germany, or they promote the formation of ethnic communities in the public sphere like Great Britain, immigrants develop strategies based on a collective representation of cultural, national or religious identities. Even though the choice of an identity to be recognized is a result of their interaction with states, their public expression is perceived as a challenge to a unitary nation-state.

In reaction, states' policies towards immigrants converge as well. Indeed European countries try to answer identical questions: how to reconcile differences that arise in society and trouble its politics, all the while maintaining and affirming the nation's integrity. They rely upon democracy and liberalism to develop special programs for groups excluded from the process of assimilation. They all aim, in this way, to reduce social inequalities while keeping in mind that this social inequality refers at the same time to cultural differences.

These parallel convergences meet in the European Union, considered as a new political space. Its emergence is linked to multiple and complex interactions between states and collective identities expressed by immigrants, or any kind of interest group who try to imprint their independence on the state. They develop strategies beyond nation-states by expressing their solidarity through transnational networks, based on a common identity or interest, often both. Even though immigration and integration policies are exclusively matters of states, immigrants rely upon Europe as a new political space open to all kind of claims and representation because of its uncertain or "soft" identity in opposition to nation-states' identity that can be qualified as "hard", considering the work of history. Europe has therefore become an arena of political participation and representation. As one activist has pointed out: "We have to get new habits,

we have to address to supranational institutions, try to build a structure that will be represented at Strasbourg (the Parliament), and in Brussels (in the Commission)". At the time of the signing of the Treaty of Maastricht, (when the European Community had 12 member states) activists involved in transnational networks referred to themselves as the 13th population or the 13th state or again as the 13th nation to underline the emergence of a "transnational community" on a European level.

Transnational Solidarity and Identity

Transnational communities are one of the consequences of an increasing mobility of immigrants between their home and host countries. It has become a way to express political and economic participation in both spaces. Studies on the emergence of such communities emphasize post-colonial immigration and the individual, commercial, institutional (political, cultural and social) relations that immigrants entertain in the two countries. Operating in two countries gives rise to new practices and symbols.[14] In most of the cases transnational communities are built on common geographical, cultural and political references, hence on their relative homogeneity as well as the intensity of intra-communal relations and the efficiency of their action.

In the context of the European union, a transnational community transcends member states' boundaries. Some of the transnational networks come from local initiatives, some from the country of origin, some are encouraged by supranational institutions, more precisely by the European Parliament. The intervention of supranational institutions in its construction situates such an organization on the level of lobbies or any interest group acting at the European level and defining their action as transnational.[15]

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[14] cf. L. Basch, N. G. Schiller, C. S. Blanc, *Nations Unbound. Transnational Projects, Postcolonial Predicaments and Deterritorialized Nation-States,* Gordon Breach Publishers 1997.
R. Cohen, *Global Diasporas. An Introduction,* University of Washington Press, 1997; A. Gupta, J. Ferguson, (eds.) *Culture, Power, Place,* Duke Unversity Press, 1997; U. Hannerz, *Transnational Connections. Culture, People, Places,* Routledge, 1996; A. Portes, Transnational Communities: Their Emergence and Significance in the Contemporary World System, in R. P. Korzeniewicz and W. C. Smith (eds.), *Latin America in the World Economy,* Greenwood Press; P. Levitt, Local-level Global religion: The Case of U.S.-Dominican Migration, in *Journal for the Scientific Study of Religion,* 1998, (37)1, pp. 74-89; Transnationalizing Community Development: The Case of Migration Between Boston and the Dominican Republic, in *Nonprofit and Voluntary Sector Quarterly,* vol. 26, no. 4, December 1997, pp. 509-526.

[15] Cf. J. Smith, C. Chatfield, R. Pagnucco, (eds.) *Transnational Social Movements and Global Politics. Solidarity Beyond the State,* Syracuse University Press, 1997.

Such a community is far from homogeneous. Immigrants from some geographic and national areas are more involved in building transnational networks than others. One of the reasons is the colonial past that limits the action of some immigrant populations to two countries. For example, Algerians are less involved in European transnational networks. Because of the colonial past, their main reference remains France. On the contrary, Turks who have never been colonized even if they had privileged economic and political relations with Germany, are spread throughout European countries and therefore are better prepared to build a transnational network crossing the boundaries of many member states and define a common identity based on their nationality despite all the divisions within such a membership.

But what was meant by a 13th nation (today it would be the 16th), was a representation of "all immigrants" settled in Europe since the 1960s. Theoretically such a structure aims at a representation beyond their relations with the state of residence as well as the state of origin. The only way to extract immigrants from their home and host countries is to build a network on a common interest defined at the European level formulated in terms of equality of rights. But voluntary associations participating in the network all express different interests, developed and formulated in reaction to states' policies on immigration and on integration. They also express different identities that they would like to have recognized by supranational institutions. Some emphasize a common nationality (Germany), some a common religion (France), some base their argument on color as a core element of discrimination, like in Great Britain.

Guided by the logic of regulation and political and juridical harmonization which they impose on nation-states, the European supranational institutions encourage such a global structure and move to define a common platform for the network. That is how, in 1986, *The Forum of Migrants* was created. The European Parliament has put resources at the disposal of immigrants' voluntary associations in order to help them to coordinate their activities in this sense. According to the person in charge of issues related to immigration in the Commission, this structure owes its existence to the financial policy of the European Parliament. Even so, the *Forum* aims at becoming "a place where immigrants from non-European countries can express their claims, but also a place through which European institutions can diffuse information concerning them" (interview). But according to the president of the *Forum* (related to the Commission in Brussels) "the objective is to obtain for non-European citizens settled in member states, the same rights and opportunities as the "authoctone" citizens of the Union, and to

compensate for a democratic deficit" (interview). The explicit goal is to fight against racism with a common jurisdiction in different European countries.

The criterion for voluntary associations to be a part of the *Forum* is defined by the European Parliament: Voluntary associations have to be supported by the welfare state of each member state and therefore have to be recognized as legitimate by the state; to prove their capacity of organization (local and/or national) and mobilization of human and material resources; to define their activities as universal (based on universal values such as equality and the respect for Human Rights); and to represent populations coming from non-European countries.

The last condition however is a source of ambiguity. It stems from the designation of "immigrants" and their legal status in the country of residence as well as in the European Union. Who are they? North Africans in France? Most of them have French citizenship. West Indians in Great Britain are British. This criterion fits Turks in Germany and most Africans. What about immigrants from Italy, Portugal, Spain and Greece who are citizens of a member state, not necessarily of the state of residence, but nevertheless citizens of the Union, and concerned with racism and immigration?

In reality the main criterion appears to be identity. Identity of origin, or "identity of circumstance" as Jean Leca points out[16], but in any case identities constructed and defined in relation or in reaction to each state constitute the links of the chain. This aspect is confirmed by associations that develop cultural exchange programmes with counterparts at the European level. But the declared goal of supranational institutions forces them to feign identities in their claim for recognition as non-Europeans. Just as nation-states do.

Here comes the paradox of supranationality. On the one hand supranational institutions challenge nation-states: By creating the *Forum*, the European Parliament marks its autonomy towards national institutions, and induces immigrants to situate themselves beyond nation-states. But on the other hand, defining the same criterion as welfare states of national institutions, the European Parliament is projecting the representation of collective identities that are questionable on a national level onto a European level. Behind the criterion of nationality, which is considered to be a juridical one and therefore objective, voluntary associations who are part of

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[16] J. Leca, Après Maastricht, sur la prétendu résurgence du nationalisme, *Témoins*, vol. 1, pp. 29-39.

the *Forum* express a "nationality of origin", or a religion (mainly Islam) related to it, or color. It is not then a matter of nationality but of ethnicity, defined as a subjective feeling of belonging and to some extent of membership.[17]

Thus European space seems to be rather the projection of the nation-state on a transnational scale. Already on a national level, fights against racism in each country are undertaken by people facing social problems because of their "origin", introducing in this way identity and nationality as incentives for mobilization.

Identity of Citizenship

Transnational networks have introduced a new mode of participation on a national level as well as on a European level. Resident non-European nationals assert their autonomy toward nation-states, territorially defined. Moreover, mobilization for equality of rights, on which transnational participation is based, initiates activists to a "European citizenship". In this perspective, citizenship derives principally from political participation in public life. It is expressed by the engagement of individuals in polities and their direct or indirect participation in the public good.[18] In Germany for example, the lack of legal and political citizenship does not prevent foreigners from taking part in the political life. Their participation is rather indirect. They develop strategies of compensation by way of influencing public opinion. The expression of their membership and their engagement implies a civil citizenship in contrast to a civic citizenship, as is the case with the young generation of North African origin born and socialized in France, and therefore legally citizens, who participate directly in the political community by voting.[19]

The increasing political participation of immigrants through voluntary associations contributed to the formation of an "identity of citizenship" in the country of residence. This identity, shaped in relation with national institutions, creates an identification with the political community through collective action. On the European level, "the identity of citizenship" is shaped in relation with supranational institutions which contribute to making Europe a public good and

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17 cf. M. Weber in *Economy and Society*, vol. 1, University of California Press, p. 395.

18 cf. J. Leca, Individualisme et citoyenneté, in P. Birnbaum et J. Leca (eds.), *Sur l'individualisme*, Presses de la FNSP, 1986, pp. 159-213.

19 R. Kastoryano, *op.cit.* 1997.

generating a new political identification for individuals involved in transnational mobilization. Such a participation can be considered as a second stage of a political socialization for immigrants in the European space, a public space where they exercise citizenship beyond national boundaries and beyond political territories of the state. In this perspective, immigrants, legal citizens of a member state or not, act together in this new space, making of it a common space of a political socialization and of use of power. Such a participation becomes a way to assert their "political acculturation" on a national level as a "passage obligé" for a political engagement on the European level.

This comes from the very nature of Europe, where the logic of supranationality has created a European, *transnational civil society* where various networks (communal, national, regional, religious as well as professional) compete and interact with each other, producing in European space all the fragmentation of democratic societies.[20] The politicization of each network gives rise to a transnational public space, a communicational space[21], a space of political participation as well as a space of identification; in short a space of citizenship. Supranational European institutions obviously play an important role in the formation of a "transnational public space", since they encourage not only the structuration of transnational networks but also their politicization by situating them towards both states and the European Union since a public space would then be a space where claims for politicial recognition acquire legitimacy.

The process affects the expression of membership by activists involved in transnational participation: "We are Europeans, we are a part of the European landscape". By "landscape" is meant the spider's web of solidarity networks that covers today the 15 member states, a space of a political participation and of citizenship beyond the state, but at the same time, paradoxically, a political space in interaction with the state. In fact the presence of a transnational community defined by a common fight against racism in this web confers on the non-citizens of the Union the "right" to participate in the formation of a political Europe.

The elaboration of a transnational network leads also to an identification with a European society by non-Europeans, residing in a member state. Citizenship implies, in the view of the

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20 Cf. M. Walzer, The Civil Society Argument, in C. Mouffe (ed .), *Dimensions of Radical Democracy*, Verso, pp. 89-103.

21 J. Habermas.

activists involved in building such a network, a partial responsibility in the construction of a new "community of faith" that is supposed to represent the European Union and is expressed by the "will to live together".[22] Just as it was at the formation of a national political community, this implies the expression of their "will to live together" on a de facto multicultural (including residents with legal status) and democratic space.[23]

Such a participation and a political identification lead to a confusion in the definition of legal status with regard to the couple citizenship/nationality. For immigrants with non-European background European citizenship underlines the complexity of reality and brings a paradox into the analysis. By stimulating their involvement in the "common good" that represents the European Union for them, supranational institutions extract immigrants from their "primordial ties" by taking them away from any direct political action towards their home country and bringing them into a common identification defined by a common interest that is European. But paradoxically enough European citizenship as a more global concept of membership than nation-states introduces the allegiance of immigrants to their home country into the process of bargaining in the same way they express their allegiance to their state of residence and to the transnational community in which they are involved.

Discourses on Europe are intensifying, often contradicting each other. The polysemy shows the disruption of the nation-state model but at the same time the difficulty of replacing it, even though the model does not conform to the European reality. But a postnational approach is as far from reality as the nation-state. The European Union is being built on supranational institutions whose conception and functioning is opposed to a postnational vision of citizenship. The latter aims at a recognition of cultural diversity and opposes a nationalistic view of the state, although the suprnationality emerges as a projection of the nation-state, by introducing the principles of nation-states into the political construction of Europe.

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[22] Inspired by the famous sentence of E. Renan in " Qu'est-ce qu'une nation?" (1882).

[23] R. Kastoryano (ed.), *Quelle identité pour l'Europe? Le multiculturalisme à l'épreuve*, Presses de Sciences Po., 1998.

"Bringing the State Back In" [24]

Transnationality represents another paradox. The consolidation of transnational solidarity generally aims to influence the state from outside. Even if they contribute to the formation of "external communities", transnational networks are imposed on states as indispensable structures for the negotiation of collective identities and interest ultimately with national public authorities which define the limits of their legitimacy. Clearly, the objective of transnational networks is to reinforce their representation at the European level, but their practical goal is recognition at the national level. Furthermore the activists, even the most active ones at the European level, ultimately see the states as their only "adversary". Besides, the states' predominance can be felt in the difficulties that voluntary associations have in coordinating their actions and their claims when they spring from their own initiative, without the intervention of supranational institutions.

In other words, the ultimate goal is to reach a political representation that can only be defined at the national level. Rights and interests for non-Europeans - such as protection of their rights as resident, the housing and employment policy, family reunification and mobilization against expulsion, in short policies that touch, directly or indirectly the domain of identity - can only be claimed from the state. But from now on all claims at a national level imply a parallel pressure at the European level, and conversely, all claims on the European level aim to have an impact on decisions taken on the national level within each of the member states. As the leader of the Associations of African Workers in France puts it: "For us, immigrants from the third world, we must act in such a way as to be in an effective position to get organized and protect ourselves, to carry our claims high; since the bulk of our recommendations which are backed up by the EEC and often favorable to us are not always seen in the best of light by the member countries ... Let us act in such a way that what is positive at the European level be echoed in the country of residence".

Thus a united Europe introduces a "normative supranationalism"[25] transcending the nation states' framework, and imposed upon the states from the outside. In cases of expulsion, for

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[24] Cf. P. B. Evans, D. Rueschemeyer & T. Skocpol (eds), *Bringing the State Back In*, Cambridge University Press, 1985.

[25] B. de Witte, The European Community and its Minorities, in Brölmann et al. (eds.), *Peoples and Minorities in International Law*, Kluwer Academic Publishers, 1993, pp. 167-185.

example, the foreigner can oppose national decisions by invoking the right to respect family life (article. 8, para. 1), once the internal modes of appeal have been exhausted. Even though human rights remain the exclusive power of states, the latter are forced to accept the new legal norms produced by European institutions, as much as the European Convention for Human Rights authorizes the European citizen (legally defined) to address the Council of Europe directly, and a foreigner (who does not hold the nationality of a member country of the Union) to appeal to the European Court for Human Rights.

On the other hand, "solidarity rights", referring to the freedom of collective action in the community framework and asserting that "it is only within the community that the full blossoming of the individual personality becomes possible", could lead back to "minority" rights in the case of populations born of immigration. According to the Human Rights Convention, "the word minority refers to a group inferior in number to the rest of the population and whose members share in their will to hold on to their culture, traditions, religion or language".[26]

This concept, laden with ideology, provokes varying reactions from one country to another. In France, whether in the case of regional or religious identities, or collective identities evident in populations born of immigration, the term is being rejected. In Germany, it refers to German minorities only, settled outside German territory. In any case, Turkish nationals in particular draw inspiration from the official usage of the term when they demonstrate the will to structure a Turkish or Kurdish national community in Germany. The rearranging of their associations in this sense drives the Federal Republic to react in similar terms. Each country develops arguments dictated by what it considers to go against its national integrity.

The "cascade theory"[27] with regard to transnationality, linking the local to the global, appears in the European context as the result of increasing interaction between nation-states and supranational institutions in the definition general norms and values, while keeping a national particularity for each state, all the more so when dealing with policies with regard to immigration, integration and access to citizenship. Supranationality provokes tension between European institutions, intergovernmental relations and nation-states when it is a

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[26] Art. 29 para. 1 of the declaration

[27] cf. A. Appadurai, *Modernity at Large*, Minnsota University Press, 1994.

matter of asylum policy, immigration and/or integration policy, tensions between a tendency to unify a European political arena and the sovereignty of states.

The European Union stands for the idea of open-minded conciliation, for an alternative conception of universality than that of the nation states which come to be seen as particular. According to those who fight on behalf of immigration, the idea of universality suitable for Europe would be to conceive of an arena in which foreigners resident in Europe, and even citizens who are perceived to be foreigners (by virtue of the nationality of origins seen as an ethnic marker, or by virtue of color or religion) would be inscribed within a plurality of cultures for the same reason as those referring to traditional national identities. To imagine a "transnational community" born of immigration would give support to nationalist sentiments voiced by the member states facing immigration on the one hand and the building of Europe on the other hand. But at the same time, the irrationality of national sentiments amounting to no more than ethnic belonging stands opposed to the rationality of the European institutions which, anxious to harmonize, define legal norms in such areas as Human Rights and the right of minorities in particular, areas that concern the "internal foreigners".

Building a "transnational community" of immigrants in Europe is a sign of the Europeanization of political action, but not the Europeanization of claims. Claims for recognition and equality remain attached to the state as a practical frame for mobilization and negotiation and a legal as well as an institutional frame for recognition. Of course, an organization which transcends national borders such as a transnational community, brings to the fore the principle of multiple identifications deriving from the logic of a political Europe.

It is precisely this aspect of multiple identification and allegiances that provokes passionate debates along the construction of Europe, for it disrupts the relations between citizenship and nationality, states and nations, culture and politics, as well as the relations between a political community and the territorial nature of participation. It signals therefore the non-relevance of the nation-state and its unitarian ideology, facing identity claims being expressed through transnational networks within and without national borders.

But the non-relevance of the nation-state in a political Europe does not necessarily imply the erosion of the nation-state. The construction of a political Europe following the model of

nation-state building raises the question of the gap between "a model" and its application to another political and cultural context. On the other hand, empirical evidence shows that states remain the "driving force" of the European Union. Even though they are submitted to supranational norms, states keep their autonomy in internal decisions, and in international relations they are the main actors of negotiations. As far as the nation is concerned, its relevance stems from the fact that it remains the emotional unit for identification, mobilization and resistence. The nation is at the root of any transnational enterprise. Therefore the permanence of the nation-state as a model for a political unit in the construction of Europe relies very much on its capacity "to negotiate" within and without, that is, its capacity to adapt structural and institutional changes to the new reality.

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